IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Plaintiff,

v.

CIVIL ACTION No. 16-02843

WOLFINGTON BODY COMPANY, INC.; EAGLE WOLFINGTON LEASING CORPORATION; and RICHARD I. WOLFINGTON, JR.,

Defendants.

ORDER

AND NOW, this 17th day of October, 2016, upon consideration of Defendants' Motion to Dismiss (ECF No. 23) and Plaintiff's Response (ECF No. 24), it is **ORDERED** that the motion is **DENIED** as to Count I and **GRANTED** as to Counts II, III, IV, V, VI, VII, VIII. All claims in those counts are dismissed with prejudice.

BY THE COURT:

<u>/s/ Gerald J. Pappert</u> GERALD J. PAPPERT, J.